

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN JEAN,

Plaintiff,

v.

BUCKNELL UNIVERSITY;
NATIONAL FRATERNITY OF
KAPPA DELTA RHO; KAPPA
DELTA RHO – IOTA CHAPTER;
WILLIAM C. BABCOCK; DILLON
DUTTERA; NICHOLAS
ZANGHETTI,

Defendants.

No. 4:20-CV-01722

(Chief Judge Brann)

ORDER

AND NOW, this 9th day of September 2021, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Bucknell University's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) (Doc. 62) is **GRANTED**.
2. Counts I and IV are **DISMISSED WITH PREJUDICE** and Count IV is **DISMISSED WITH PREJUDICE** as to Bucknell University.
3. Pursuant to 28 U.S.C. § 1292(b), the remaining counts—that is, Counts II, III, V, VI (as to Defendants National Fraternity of Kappa Delta Rho, Kappa Delta Rho – Iota Chapter, William C. Babcock, Dillon Duttera, and Nicholas Zanghetti), VII, VIII, and IX—are

STAYED pending resolution of the interlocutory appeal of this Court's April 16, 2021 Order (Doc. 56) denying Defendants' motions to compel (Doc. 14, Doc. 16, Doc. 46). The parties, through their counsel, are to notify the Court when the interlocutory appeal has been resolved.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge